

### **Supplemental Declaration of Amy Fly**

My name is Amy Fly and I am an attorney licensed to practice in the State of Pennsylvania.

On April 22 - 23, 2020, I spoke with the following detainees in the Dallas County Jail: Jose Garcia (Bookin # 20012971); Jacorian Sauls (Bookin # 20013967); Clayton Turner (Bookin # 19025415); Ladarious Washington (20013479); Alex Birdwell (Bookin #19054433); Terrill Ray (Bookin # 19055593). They told me the following information:

1. On Saturday, April 18, 2020, Mr. Garcia, Mr. Sauls, Mr. Turner, Mr. Washington, Mr. Birdwell, and Mr. Ray were all detained on the sixth floor of North Tower, West Wing, in Tank 3. This tank has 4 cells with 7 men in each cell (28 men total in the tank).
2. At around 3:30pm, Marcus Grant (Bookin # 19025173) from cell A was removed from the tank. He had been complaining of symptoms of the virus for about 3 days, but was previously ignored by jail staff.
3. After Mr. Grant was removed from the tank, a nurse checked the vitals of the remaining men in the tank. Ramon Mendoza (Bookin #19014130) from cell A had a high fever and was removed from the tank. He had reported headaches, body aches and night sweats and feeling feverish for about a week before his temperature was ever taken.
4. Around 5:00pm that same day, Montreal Johnson (Bookin # 19052132) from cell D started exhibiting symptoms, including sweating, coughing, and vomiting. Worried about Mr. Johnson further contaminating their living space, the other detainees started beating on the windows and made a commotion in an effort to get staff to remove Mr. Johnson from the tank. It took about 5 hours for a nurse see him. At first, the men in the tank were told that Mr. Johnson could not leave the tank because the entire tank was under quarantine. Anxiety levels rose, and Mr. Johnson was eventually taken away.
5. None of the three men's bunks were cleaned after they were removed from the tank.
6. At around midnight, the staff made an announcement that it was time for the men to "rack up," meaning go into their cells for the night. The whole tank made a fuss about the staff continuing to bring sick people into their tank, as Mr. Johnson had not been in their tank a full day before he started vomiting. An officer asked for a tank spokesman, and Mr. Garcia took that role. He told the officer that no one in cell A wanted to go back into the cell before it was cleaned since 2 men were taken away that day for having symptoms of the virus. He demanded cleaning supplies and new masks, because their current masks were over 2.5 weeks old. Eventually, the officer agreed to bring them cleaning supplies if they went back into their cell.
7. When the officer left, the men went back into their cells as they said they would. Not five minutes later, three Hispanic officers, an African American officer and Sergeant J. Mac returned to the cell while Mr. Garcia was urinating. One of the staff members announced "fuck that rack up," and Officer Rodriguez grabbed Mr. Garcia at the urinal, body

slammed him, put him in a chokehold, and punched him. After Mr. Garcia was already in handcuffs, Sergeant J. Mac ordered the African American guard to mace Mr. Garcia repeatedly. Mr. Garcia was beaten so badly that Mr. Birdwell described him as “barely recognizable” after the encounter. As they removed Mr. Garcia from the cell, one of the staff members said in a threatening manner to the detainees who witnessed the altercation, “Anyone have anything to say?”

8. After Mr. Garcia was taken away, he was placed in a holding tank that had not been cleaned after being used by someone who was sick. He was there for about three days before being moved to segregation cell 42 on the 2<sup>nd</sup> floor of West Wing in North Tower. Then he began to feel sick and started asking for someone to take his temperature. He has since stopped asking because the nurses are so busy at the South Tower that they ignore him.
9. On Wednesday, April 22, 2020, the nurse practitioner came into Tank 3, gave everyone a new mask, and announced that one of the men removed from their tank tested positive for COVID-19.
10. None of the remaining men in Tank 3 have been tested for the virus. Several are exhibiting symptoms, including, Julius Edwards, Travis Armstead, Benjamin Chavez, Sebastyan Ballard (Bookin # 19024527), Clayton Turner (Bookin # 19025415), Rodriguez Roberto (Bookin # 20015574), Guillrmo Rubi (Bookin #18061774), Eustorgio Jaims (Bookin #20011337), Cedrick Pittman (Bookin #20015610). None of the remaining men in Tank 3 have received any treatment for their symptoms

On April 22, 2020 I took a photo of Mr. Garcia’s face during our video visit at 9:30pm. He had a swollen nose, black eye, and other visible bruises on his face. He is currently being detained in segregation cell 42 on the 2<sup>nd</sup> floor of West Wing in North Tower.

On April 22, 2020, I set up attorney video visits with seven men in the North Tower, West Wing, in Tank 3. When Jacorian Sauls appeared for the first visit, I could not hear any audio. He communicated with me by writing on a piece of paper and holding it up to the camera. He told me that the kiosk had been broken for about a week and the only way anyone in their tank could contact their attorneys was through recorded calls on the phones in their cells. Several detainees complained about the broken kiosk the staff has not done anything to fix it. While Mr. Sauls was writing this message, I took a photo of the video, which showed two men using the phones behind Mr. Sauls.

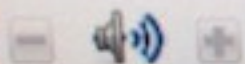
During the remainder of my video calls, I saw several men in the tank walking in and out view in the background. I took several more photos. Of the dozen or so men whose faces I saw, only three had their masks visible. All three of those men wore their masks around their necks more often than on their faces. None of the men who were visible in the camera were standing 6 feet away from others in their tank.

After these video visits, I checked the location of Ramon Mendoza, Marcus Grant, and Montreal Johnson on the Dallas County Online Jail Search. As of the date of this declaration, Mr.

Mendoza and Mr. Grant are on the 9<sup>th</sup> floor of the West Tower and Mr. Johnson is on the 7<sup>th</sup> floor of the West Tower.

April 23, 2020  
York PA

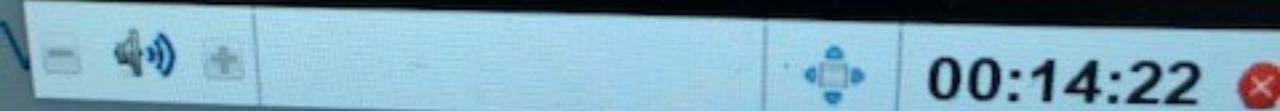
/s/ Amy Fly  
Amy Fly



00:10:59

Scheduled Visit: 04/22/2020

08:30 PM CT



Scheduled Visit: 04/22/2020  
00:00 PM CT

00:14:22



Session

Online/

u to



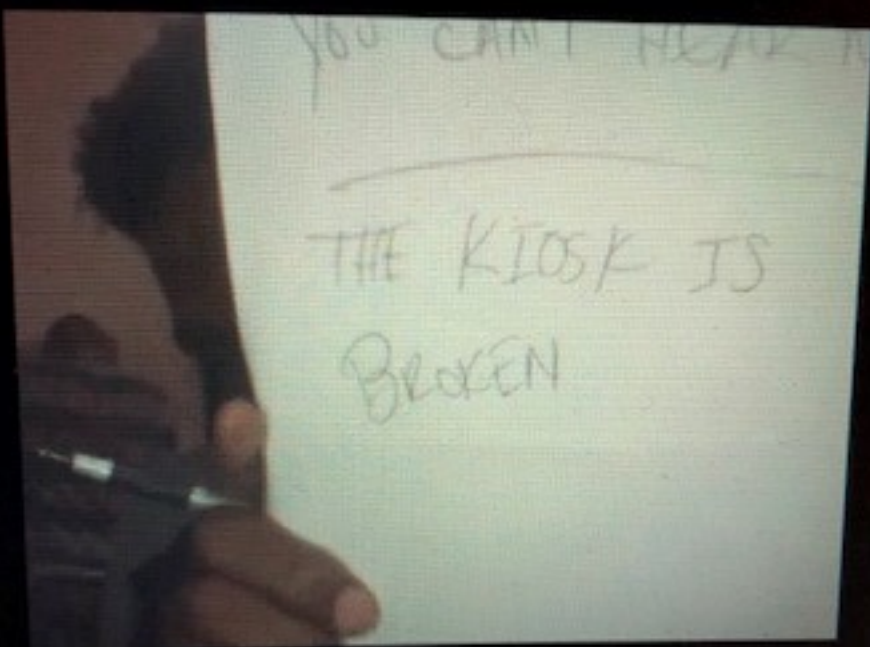
00:13:23



xt Scheduled Visit: 04/22/2020

00:20 PM CT

+  
Session

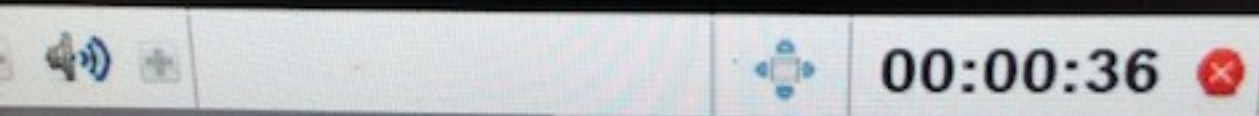


FIN

recorded

Scheduled Visit: 04/22/2020

00:00 PM CT



Scheduled Visit: 04/22/2020  
00:45 PM CT



ssion



00:10:20

Scheduled Visit: 04/22/2020

00:45 PM CT



00:08:56



ext Scheduled Visit: 04/22/2020

recorded

Session







00:10:32 

Next Scheduled Visit: 04/22/2020

00:45 PM CT

FIN

g recorded

ds and Family



Session

securustech.online/

you to



FIND

recorded and



00:10:02



Next Scheduled Visit: 04/22/2020

00:45 PM CT






× +

Session

n.online/  
you to



FIND INM

recorded and mo

00:00:00

Next Scheduled Visit: 04/22/2020  
00:45 PM CT